

REMARKS/ARGUMENTS

The claims outstanding in this application are Claims 1-26. Applicant submits that the claims are allowable as amended herein but, as requested, affirms the election to betaine HCl and pepsin
5 as the two or more components with the addition of glycine and bromolein as the four or more components of the enzyme pH adjustor formulation of the protonic formulation and whey protein isolate and soy protein isolate as the two or more components with the addition of maltodextrin and steviolide as the four or
10 more components in the protein mixture of the protonic formulation.

In consideration of the amendments made above and the remarks which follow, applicant hereby respectfully traverses all rejections and requests reconsideration and allowance of the
15 claims currently pending in this application.

Claims 1-26 were rejected under 35 U.S.C. § 103 as being unpatentable over the cited art. As stated by the Examiner, KR2003025587; Terry, et. al.; KR2002041162; and JP01132533 address use of pepsin and betaine HCl to be used in compositions
20 to improve digestion. And Craig, et. al.; Kamarei ['650]; and Kamarei ['425], teach that whey protein and soy protein are both also known to be used in compositions to improve digestion.

The Examiner further states that specific amounts of the ingredients to be used is simply a matter of choice in an effort to optimize desired results and can be derived at by routine experimentation. This is simply not so. It is through repeated
5 experimentations with specific amounts and tests of efficacy that applicant has derived a unique formulation not known in the prior art and to have the desired effect and positive result. The specific amounts derived by applicant were a matter of choice
which were founded on repeated experimentation and analysis; not
10 by hind-sight or reverse engineering.

Moreover, applicant submits that the four or more components which include glycine and bromolein as additional components of the enzyme pH adjustor formulation of the protonic formulation and the four or more components which include maltodextrin and
15 steviocide as additional components of the now four or more components in the protein mixture of the protonic formulation are not taught, suggested, or disclosed in the prior in the combinations as disclosed and claimed by applicant.

For the reasons set forth above the claims currently pending
20 in this application are patentable and provide further preferred and optimum materials and quantities not taught in the prior art. In view of the clear distinctions between the cited prior art and

Dkt. No: LIFEFF-P01A
Appln. No.: 10/757,706
Reply to Office action of 10/31/2005

the present claims, applicant respectfully requests early
reconsideration, allowance, and issue of this application.

Respectfully submitted,

7750 Dagget St., Ste 203
San Diego, CA 92111
Phone: 858-565-0799
Fax: 858-268-9968



Frank G. Morkunas
Reg. No. 38,974, C/N 23,653
Attorney for Applicant

encl: (1) Extension of Time form [PTO/SB/21]
(2) Credit-Card Payment form [PTO-2038]
(3) Transmittal form [PTO/SB/21]